

Applicant : Elliott Bennett-Guerrero et al.
Serial No. : 09/423,546
Filed : November 12, 1999
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Attorney's Docket No.: 08213-007001

REMARKS

The only rejections remaining in this case are set out in paragraphs 9-15 of paper 16 (the action mailed February 28, 2002).

Paragraph 9 of the office action presents a scope-of-enablement rejection, concluding that data submitted by Applicants as evidence supporting the claims does not provide working examples related to two bacterial classifications (*Salmonella* and *Klebsiella*) specified in the claims. This aspect of the rejection is overcome by the above amendment deleting those classifications from the claims.

The claims are further limited to antigens that have been separated from cells, in response to objections that the specification teaches away from the use of whole killed cells that are killed by means other than heat or formaldehyde.

Claim 64 has been amended to overcome the rejection under §112 ¶2.

Claim 111 has been canceled.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 3/28/02

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Version with markings to show changes made

In the claims:

Claims 47-49, 52-54, 69, 72, 89-92, 95, 96, 101-111 have been cancelled.

Claims 44, 58, 64, 66, and 78-83, have been amended as follows:

44. (Amended) A method of reducing adverse effects of endotoxin in a warm-blooded animal, which comprises administering to the warm-blooded animal an effective amount of a composition comprising rough, complete-core lipopolysaccharide (LPS) antigens of at least two Gram negative bacterial strains, each of said strains having a classification independently selected from the following classifications: *E. coli*; *Pseudomonas*; [*Klebsiella*; *Salmonella*]; and *Bacteroides*, said antigens being separated from cells of said bacterial strains.

58. (Amended) The method of claim 44 or claim 57 in which the cocktail comprises Ra LPSs from at least three strains of Gram-negative bacteria, each of said strains being classified in a different one of the following classifications: *E. coli* K12, *E. coli* R1, *Bacteroides fragilis*, and *Pseudomonas aeruginosa*.

64. (Amended) The method of claim 44 [59] in which both of said at least two [the other of said at least two] bacterial strains is [are] classified as *E. coli* [or *Salmonella*].

66. (Amended) The method of claim 44 or claim 59 in which the composition comprises complete-core, rough, LPS antigen from a third Gram-negative bacterial strain different from the first and from the second Gram-negative bacterial strains.

78. The method of claim [107] 55 in which the ratio (weight:weight) of lipid in the liposome to the LPS antigens is between 1:1 and 5000:1.

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79. The method of claim [107] 55 in which the ratio (weight:weight) is between 10:1 and 1000:1.

80. The method of claim [107] 55 in which the liposome comprises a component selected from the group consisting of: phospholipid, cholesterol, positively charged compounds, negatively charged compounds, and amphipathic compounds.

81. The method of claim [107] 55 in which the liposome is a multilamellar type liposome (MLV).

82. The method of claim [107] 55 in which LPS in the acid salt form is incorporated into the liposome.

83. The method of claim [107] 55 in which the liposome is a small or large unilamellar liposome (SUVs and LUVs).